

IN THE DISTRICT COURT OF GRADY COUNTY
STATE OF OKLAHOMA

FILED IN DISTRICT COURT
Grady County, Oklahoma

JOSEPH RICHMOND and,
LORI BETH RICHMOND,

Plaintiffs,

vs.

ALLSTATE PROPERTY AND,
CASUALTY INSURANCE,
COMPANY,

Defendant.

SEP 13 2012

Lois Foster, Court Clerk
by *[Signature]* Deputy

Case No.: *CT 2012-258*

PETITION

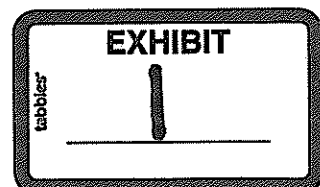
COMES NOW, the Plaintiffs, Joseph Richmond and Lori Beth Richmond ("Plaintiffs"), and for their cause of action against the Defendant, Allstate Property and Casualty Insurance Company ("Allstate") alleges and states as follows:

JURISDICTION AND VENUE

1. That Plaintiffs are residents of Bailey, Colorado and own a home in Blanchard, Oklahoma.
2. That Defendant, Allstate, is a foreign Corporation doing business in the State of Oklahoma.
3. That Defendant, Allstate, is licensed with the Oklahoma Insurance Commission to sell insurance to the public in the State of Oklahoma.

FACTUAL ALLEGATIONS

4. On September 24, 2011, Plaintiffs suffered a covered loss to their real and personal property which was insured by a homeowner's policy issued by Defendant.
5. Plaintiffs reported the loss to Defendant in a timely manner.



6. Defendant has refused to pay Plaintiffs' claims pursuant to the contract for insurance.

CAUSES OF ACTION

Breach of Contract

7. At the time of loss, the applicable insurance coverage was in full force and effect.

8. Following the loss, Defendant had a contractual duty to promptly and fairly investigate, evaluate and pay the claim.

9. The Defendant has wrongfully failed to evaluate and pay the claim and has breached their contractual duty to the Plaintiffs.

10. As a direct result of the actions of the Defendant, Plaintiffs have sustained damages and other losses in an amount in excess of \$75,000.00.

Bad Faith

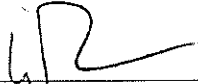
11. The Defendant has a duty to deal fairly and in good faith with its insureds.

12. The actions of the Defendant during the handling and adjusting of this claim were in violation of the Defendant's duty of good faith and fair dealing to the Plaintiff.

13. As a direct and proximate result of Defendant's breach of its duty of good faith and fair dealing, Plaintiffs have suffered aggregate damages in an amount in excess of \$75,000.00

WHEREFORE, Plaintiffs pray for judgment against the Defendant and see damages in excess of \$75,000.00 exclusive of interest and cost, for punitive damages, attorney fees and all other relief this court deems just and equitable.

Respectfully submitted,



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